Appl. No. 10/643,215
Amdt. dated April 27, 2007
Reply to Office Action of November 27, 2006

PATENT

## Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2.  This sheet, which includes Fig. 2 replaces the original sheet including Fig. 2.


Attachment:  Replacement Sheet
           Annotated Sheet Showing Changes

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## REMARKS/ARGUMENTS

Claims 1-13 are currently pending. Claims 1, 4, 7, 10 and 13 have been amended. Claims 14-20 are new. Applicants submit that no new matter has been inserted in the application due to the new claims or the amendments. Claims 1-13 will remain pending in this application after entry of this amendment.

In the Office Action of November 27, 2006, claims 1-13 were provisionally rejected under 35 USC §101 as claiming the same invention as that of claims 1-13 of copending Application No. 10/809,559. The drawings were objected to under 37 CFR 1.83(a) as failing to show features recited in the claims. The title was objected to as not being clearly indicative of the invention to which the claims are directed. Claims 1-6 were objected to as having various informalities. Claims 1-12 were rejected under 35 USC §112 as not complying with the written description requirement. Claim 13 was rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 7,062,703 to Keaney et al. (hereinafter "Keaney"). Claim 13 was also rejected under 35 USC §102(e) as being anticipated by U.S. Patent Application No. 2004/0125775 to Rios (hereinafter "Rios"). Claim 13 was also rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,725,015 to Lin (hereinafter "Lin"). Claims 1-12 were rejected under 35 USC 103(a) as being unpatentable over Keaney.

Applicants submit that each of the rejections is overcome by the amendments and arguments set forth herein.

### Statutory Double Patenting Rejection

Claims 1-13 were provisionally rejected under a provisional statutory double patenting rejection, because claims 1-13 are directed to the same invention as that of commonly assigned copending application 10/809,559. Applicants have canceled claims 1-13 of copending application 10/809,559. Therefore, Applicants respectfully request that the provisional statutory double patenting rejection be withdrawn.

### Objections to Drawings

Applicants have amended Fig. 2 to include the transmitting and receiving antennas recited in the claims, which adds no new matter. Accordingly, Applicants respectfully request that the objections to the drawings be withdrawn.

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## Objections to the Specification

Applicants have amended the title as described above. Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

## Objections to Claims

Applicants have amended claim 1 to include the limitation "802.11b" as suggested by the Examiner. Applicants have also amended claim 13 to include the limitation "receiving the upstream data at the access point" as suggested by the Examiner. Accordingly, Applicants respectfully request that the objections to the claim 1-6 and 13 be withdrawn.

## Rejections under 35 USC §112

Claims 1-12 were rejected for failing to comply with the written description requirement. The Office Action asserts that the specification does not provide support for "logic for routing information between a client and the client wireless module" as recited in independent claims 1 and 4 and "logic for routing information between an access point and the access point wireless module" as recited in independent claims 7 and 10.

Specific support for "logic for routing information between a client and the client wireless module" as recited in independent claims 1 and 4 can be found at least in paragraphs 0017 and 0018 of the specification. For example, "a plurality of client devices are outfitted with circuitry and/or software that implements a station 12 functionality" (emphasis added). Application as Filed, paragraph 0017. A communication path between the client device 14 and the distribution system 28 is provided:

> [C]lient device 14 is coupled to a device I/O section of client station hardware 20. Client station hardware 20 includes a transmit section and a receive section, each coupled to the device I/O section. The transmit section transmits a signal through a wireless channel 21 to a receive section of access point station hardware 22. That receive section is coupled to a network I/O section, thus providing a data communication path from client device 14 to a distribution system 28."
> (Application as Filed, paragraph 0018).

Client device 14 is coupled to the device I/O section of client station hardware 20, and the device I/O section provides for transmitting information to and receiving data from client device 14. Accordingly, Applicants submit that logic for routing information between the client and the

client wireless module is provided by the circuitry and/or software described at least in paragraphs 0017 and 0018 of the specification.

Specific support for "logic for routing information between an access point and the access point wireless module" as recited in independent claims 7 and 10 can also be found at least in paragraphs 0017 and 0018 of the specification. According to the specification, an access point is a "station coupled to a wired network interface or other distribution system." Application as Filed, paragraph 0017. As described above, a station may be implemented in circuitry and/or software. Application as Filed, paragraph 0017. Furthermore, a communication path between distribution system 28 to client device 14 is provided:

A path from distribution system 28 to client device 14 is provided via the network

I/O section of access point station hardware 22, a transmit section of access point

station hardware 22, a receive section of client station hardware 20 and the device

I/O section of client station hardware 20. (Application as Filed, paragraph 0017).

Distribution system 28 is coupled to network I/O section of access point station hardware 22, and the network I/O section of access point station hardware 22 provides for transmitting information to and receiving information from distribution system 28. Accordingly, Applicants submit that logic for routing information between the access point and the access point wireless module is provided by the circuitry and/or software described at least in paragraphs 0017 and 0018.

Applicants submit that the specific embodiments cited herein are not intended to limit the scope of the claimed invention. See Application as Filed, paragraph 0031. Applicants have merely emphasized these exemplary embodiments to demonstrate examples within the specification that provide support for the features recited in claims 1, 4, 7, and 10. Additional embodiments providing support for claims 1, 4, 7 and 10 may also be found in the specification.

Claims 1, 4, 7 and 10 were rejected for failing to particularly point out and distinctly claim Applicants' invention. Applicants have amended claims 1 and 4 to refer to "the access point wireless module" and have amended claims 7 and 10 to refer to "the client wireless module."

Accordingly, Applicants request that the rejections of claims 1-12 be withdrawn.

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## Rejections under 35 USC §102

Claim 13 was rejected as being anticipated by Keaney, by Lin, and by Rios. Applicants have amended claim 13 and Applicants respectfully submit that Keaney fails to anticipate amended claim 13. Amended claim 13 recites, in part, "transmitting upstream data from the client device using an 802.11b protocol; receiving the upstream data at the access point; transmitting downstream data from the access point using an 802.11g protocol in response to receiving the upstream data at the access point; and receiving the downstream data at the client device." Applicants submit that Keaney, Lin, and Rios are all silent as to transmitting upstream data from a client device to an access point using a first protocol and the access point transmitting downstream data to the client device using a second protocol in response to the access point receiving the upstream data from the client device. For example, Keaney merely discloses that a network node may conform to variants of the IEEE 802.11 standard, including 802.11b and 802.11g, and symmetrically using one of these protocols for the upstream and downstream data. Similarly, Rios merely discloses multiple-protocol devices that include the ability to transmit and receive using the 802.11a and 802.11b/g protocols, where the multiple-protocol devices symmetrically use one of these protocols for upstream and downstream data. Likewise, Lin merely discloses a wireless network access facility including one or more multi-function actuating devices that may transmit and/or receive using multiple protocols, including 802.11b/g, where the multi-function actuating devices symmetrically transmit and/receive using the same protocol. See Lin, Abstract; and col. 2, lines 31-35.

Accordingly, Applicants submit that Keaney, Lin, and Rios each fail to anticipate claim 13 for at least the reasons provided.

## Rejections under 35 USC §103

Claims 1-12 were rejected under 35 USC 103(a) as being unpatentable over Keaney in view of Rios.

The Office Action relies upon the combination of Keaney and Rios to disclose or suggest each of the features recited in independent claim 1. Independent claim 1, recites, in part, "a client wireless module, for handling communications to and from an access point wireless module." The client wireless module of claim 1 includes "an 802.11b processing section" for processing data to be transmitted to a wireless access point module and "an OFDM processing section" for processing data received from the wireless access point. The Office Action relies

upon Keaney to teach these elements of independent claim 1. However, as described above, Keaney merely discloses a modem that is configured to transmit and/or receive using the 802.11a and 802.11b protocols, and symmetrically using one of these protocols for the upstream and downstream data. See Keaney, col. 6, lines 10-14; and Fig. 3, reference nos. 341, 342, 345, and 346. Keaney, however, is silent as to transmitting upstream data from a client device using a first protocol, such as an 802.11b protocol, and in response, the access point transmitting downstream data to the client device using a second protocol, such as an 802.11g protocol. Furthermore, as described above, Rios also fails to remedy this deficiency. Accordingly, Keaney and Rios, either alone or in combination, fail to disclose or suggest each of the features recited in claim 1.

Independent claims 4, 7, and 10 are also allowable for similar reasons as independent claim 1. Furthermore, dependent claims 2, 3, 5, 6, 8, 9, 11 and 12 are also allowable at least due to their dependence from claims 1, 4, 7, and 10 respectively.
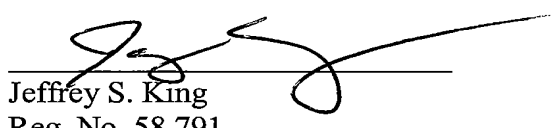
## CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


Date: _____April 27_____, 2007    _____
                                       Jeffrey S. King
                                       Reg. No. 58,791

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (650) 326-2422
Attachments
JSK/psc

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